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Congressman Dent lauds stronger laws to enforce border security

WASHINGTON, D.C. — U.S. Rep. Charlie Dent, a member of the House Homeland Security Committee, today lauded House legislation on border security and immigration enforcement as important steps in promoting rule of law at America's borders.

Three pieces of legislation passed the House on Wednesday, each addressing Congressman Dent's longstanding commitment to correcting problems with border security.

"I am committed to the approach that we enforce our laws and protect our borders before we have any other significant discussions about immigration reforms," Congressman Dent said.

These bills — the Community Protection Act of 2006, the Immigration Law Enforcement Act of 2006 and the Border Tunnel Prevention Act of 2006 — each address specific areas where American law enforcement either have lacked the authority or the resources to enforce border security.

"We are closing loopholes that should never have existed in the first place," Congressman Dent said. "We are providing for detention of dangerous illegals, prevention of border tunnels and ending the practice of 'catch and release' of certain illegals who are caught."

The highlights of the three bills are as follows:

H.R. 6094, the Community Protection Act of 2006

Detaining Dangerous Aliens Who Are Unable to be Deported. The Community Protection Act ensures that dangerous illegal immigrants who cannot be deported, cannot likewise be released into society. Many illegal immigrants being detained by the Department of Homeland Security are unable to be deported for a variety of reasons. Yet under current law, DHS cannot detain these illegal immigrants for more than six months, even if the individual has committed a violent crime or represents a threat to national security. As a result, hundreds of criminals are released back onto our streets. This legislation allows such illegal immigrants to be detained for periods of six months at a time, and then allows for the period of detention to be renewed. It also provides for judicial review.

Expediting the Removal of Alien Criminals. The Community Protection Act allows the Department of Homeland Security to use the same expedited procedures available for the removal of aggravated felons to remove other criminal aliens who are not permanent residents and are otherwise ineligible for relief. At the present time, these aliens are placed in lengthy removal proceedings even though they are not eligible for any relief.

Detaining and Deporting Alien Gang Members. The Community Protection Act toughens laws against alien gang members. Under the bill, an illegal immigrant who is found to be part of a criminal street gang would be subject to detention, deportation, and would be ineligible for receiving asylum or temporary protected status.

H.R. 6095, the Immigration Law Enforcement Act of 2006

Reaffirming the Authority of State and Local Law Enforcement to Enforce Immigration Laws. The Immigration Law Enforcement Act reaffirms the inherent authority of state and local law enforcement to voluntarily investigate, identify, apprehend, arrest, detain, and transfer to federal custody illegal immigrants. Many state and local law enforcement officers want to assist in the enforcement of immigration laws, and they can play a valuable role in assisting federal law immigration officers.

Increasing Prosecutions of Alien Smugglers. United States attorney offices do not have uniform guidelines for the prosecution of alien smuggling offenses, and many of these offices face a tremendous workload and are unable to prosecute a sufficient number of alien smuggling cases. As a result, our Border Patrol agents see many of the smugglers they apprehend go free. The Immigration Law Enforcement Act authorizes an increase in the number of attorneys to prosecute alien smuggling cases, and expresses Congress' sense that the attorney general should establish uniform guidelines for the prosecution of alien smugglers.

Imposing “Catch & Return” Instead of “Catch & Release.” The Immigration Law Enforcement Act helps close loopholes that have hurt the Department of Homeland Security's ability to enforce immigration laws. For example, an injunction dating from the El Salvadoran civil war of the 1980s prevents DHS from placing Salvadorans in expedited removal proceedings, even though the civil war has long since ended. DHS uses expedited removal proceedings to quickly remove illegal immigrants who are apprehended along the Southern border, in order to end the policy of “catch and release,” where illegal immigrants have been released into the general population while they await deportation proceedings. Many criminal gangs have exploited these loopholes, which this bill would help close.

H.R. 4830, the Border Tunnel Prevention Act of 2006

Criminalizing the Construction and Financing of Border Tunnels. The Border Tunnel Prevention Act enacts criminal penalties of up to 20 years' imprisonment for individuals who knowingly construct or finance the construction of an unauthorized tunnel across a U.S. international border. In addition, individuals who recklessly permit the construction of such a tunnel on their own property are subject to imprisonment of up to 10 years. Individuals caught using such a tunnel to smuggle aliens, contraband, drugs, weapons, or terrorists are subject to twice the penalty that would have otherwise been imposed.